

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

Fill in this information to identify your case:			
Debtor 1	Cerrone Dion Walker		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	First Name	Middle Name	Last Name
Case number (If known)	23-10429		

☒ Check if this is an amended plan.

Chapter 13 Plan and Motion

[Pursuant to Fed. R. Bankr. P. 3015.1, the Southern District of Georgia General Order 2017-3 adopts this form in lieu of the Official Form 113].

1. **Notices.** Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as not being contained in the plan or if neither or both boxes are checked, the provision will be ineffective if set out in the plan.

- (a) This plan: ☐ contains nonstandard provisions. See paragraph 15 below.
☒ does not contain nonstandard provisions.
- (b) This plan: ☐ values the claim(s) that secures collateral. See paragraph 4(f) below.
☒ does not value claim(s) that secures collateral.
- (c) This plan: ☒ seeks to avoid a lien or security interest. See paragraph 8 below.
☐ does not seek to avoid a lien or security interest.

2. **Plan Payments.**

- (a) The Debtor(s) shall pay to the Chapter 13 Trustee (the "Trustee") the sum of **\$963.00** for the applicable commitment period of:
☒ 60 months; or
☐ a minimum of 36 months. See 11 U.S.C. § 1325(b)(4).
 (If applicable include the following: These plan payments will change to \$_____ monthly on _____.)
- (b) The payments under paragraph 2(a) shall be paid:
☒ Pursuant to a Notice to Commence Wage Withholding, the Debtor(s) request(s) that the Trustee serve such Notice(s) upon the Debtor's(s) employer(s) as soon as practicable after the filing of this plan. Such Notice(s) shall direct the Debtor's(s) employer(s) to withhold and remit to the Trustee a dollar amount that corresponds to the following percentages of the monthly plan payment:
☒ Debtor 1 **100** % ☐ Debtor 2 _____ %
☐ Direct to the Trustee for the following reason(s):
☐ The Debtor(s) receive(s) income solely from self-employment, Social Security, government assistance, or retirement.
☐ The Debtor(s) assert(s) that wage withholding is not feasible for the following reason(s):

- (c) Additional Payments of **\$0.00** (estimated amount) will be made on _____ (anticipated date) from (source, including income tax refunds).

3. **Long-Term Debt Payments.**

- (a) **Maintenance of Current Installment Payments.** The Debtor(s) will make monthly payments in the manner specified as follows on the following long-term debts pursuant to 11 U.S.C. § 1322(b)(5). These postpetition payments will be disbursed by either the Trustee or directly by the Debtor(s), as specified below. Postpetition payments are to be applied to postpetition amounts owed for principal, interest, authorized postpetition late charges and escrow, if applicable. Conduit payments that are to be made by the Trustee which

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become due after the filing of the petition but before the month of the first payment designated here will be added to the prepetition arrearage claim.

CREDITOR	COLLATERAL	PRINCIPAL RESIDENCE (Y/N)	PAYMENTS TO MADE BY (TRUSTEE OR DEBTOR(S))	MONTH OF FIRST POSTPETITION PAYMENT TO CREDITOR	INITIAL MONTHLY PAYMENT
-NONE-					

- (b) **Cure of Arrearage on Long-Term Debt.** Pursuant to 11 U.S.C. § 1322(b)(5), prepetition arrearage claims will be paid in full through disbursements by the Trustee, with interest (if any) at the rate stated below. Prepetition arrearage payments are to be applied to prepetition amounts owed as evidenced by the allowed claim.

CREDITOR	DESCRIPTION OF COLLATERAL	PRINCIPAL RESIDENCE (Y/N)	ESTIMATED AMOUNT OF ARREARAGE	INTEREST RATE ON ARREARAGE (if applicable)
-NONE-				

4. **Treatment of Claims.** From the payments received, the Trustee shall make disbursements as follows unless designated otherwise:
- (a) **Trustee's Fees.** The Trustee percentage fee as set by the United States Trustee.
- (b) **Attorney's Fees.** Attorney's fees allowed pursuant to 11 U.S.C. § 507(a)(2) of **\$4,500.00**.
- (c) **Priority Claims.** Other 11 U.S.C. § 507 claims, unless provided for otherwise in the plan will be paid in full over the life of the plan as funds become available in the order specified by law.
- (d) **Fully Secured Allowed Claims.** All allowed claims that are fully secured shall be paid through the plan as set forth below.

CREDITOR	DESCRIPTION OF COLLATERAL	ESTIMATED CLAIM	INTEREST RATE	MONTHLY PAYMENT
Capital One Auto Finance	Honda	11,401.23	9.00%	min. \$200/mo.
Capital One Auto Finance/o AIS Port.Svc	Kia	18,055.75	9.00%	min. \$250/mo.
Georgia Department of Revenue	personal property (stat'y lien)	2,519.15	3.00%	min. \$25/mo.

- (e) **Secured Claims Excluded from 11 U.S.C. § 506 (those claims subject to the hanging paragraph of 11 U.S.C. § 1325(a)).** The claims listed below were either: (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor(s), or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value. These claims will be paid in full under the plan with interest at the rate stated below:

CREDITOR	DESCRIPTION OF COLLATERAL	ESTIMATED CLAIM	INTEREST RATE	MONTHLY PAYMENT
-NONE-				

- (f) **Valuation of Secured Claims to Which 11 U.S.C. § 506 is Applicable.** The Debtor(s) move(s) to value the claims partially secured by collateral pursuant to 11 U.S.C. § 506 and provide payment in satisfaction of those claims as set forth below. The unsecured portion of any bifurcated claims set forth below will be paid pursuant to paragraph 4(h) below. The plan shall be served on all affected creditors in compliance with Fed. R. Bankr. P. 3012(b), and the Debtor(s) shall attach a certificate of service.

CREDITOR	DESCRIPTION OF COLLATERAL	VALUATION OF SECURED CLAIM	INTEREST RATE	MONTHLY PAYMENT
-NONE-				

- (g) **Special Treatment of Unsecured Claims.** The following unsecured allowed claims are classified to be paid at 100%

☐ with interest at ____% per annum; or ☐ without interest:

None

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- (h) **General Unsecured Claims.** Allowed general unsecured claims, including the unsecured portion of any bifurcated claims provided for in paragraph 4(f) or paragraph 9 of this plan, will be paid a % dividend or a pro rata share of \$7,207.00, whichever is greater.

5. **Executory Contracts.**

- (a) **Maintenance of Current Installment Payments or Rejection of Executory Contract(s) and/or Unexpired Lease(s).**

CREDITOR	DESCRIPTION OF PROPERTY/SERVICES AND CONTRACT	ASSUMED/REJECTED	MONTHLY PAYMENT	DISBURSED BY TRUSTEE OR DEBTORS
Auben Realty LLC	Residential Lease; Rental: \$1,354/mo. month-to-month; Arrears: None	Assumed	1,354.00	Debtor

- (b) **Treatment of Arrearages.** Prepetition arrearage claims will be paid in full through disbursements by the Trustee.

CREDITOR	ESTIMATED ARREARAGE
-NONE-	

6. **Adequate Protection Payments.** The Debtor(s) will make pre-confirmation lease and adequate protection payments pursuant to 11 U.S.C. § 1326(a)(1) on allowed claims of the following creditors: ☐ Direct to the Creditor; or ☐ To the Trustee

CREDITOR	ADEQUATE PROTECTION OR LEASE PAYMENT AMOUNT
-NONE-	

7. **Domestic Support Obligations.** The Debtor(s) will pay all postpetition domestic support obligations direct to the holder of such claim identified here. See 11 U.S.C. § 101(14A). The Trustee will provide the statutory notice of 11 U.S.C. § 1302(d) to the following claimant(s):

CLAIMANT	ADDRESS
-NONE-	

8. **Lien Avoidance.** Pursuant to 11 U.S.C. § 522(f), the Debtor(s) move(s) to avoid the lien(s) or security interest(s) of the following creditor(s), upon confirmation but subject to 11 U.S.C. § 349, with respect to the property described below. The plan shall be served on all affected creditor(s) in compliance with Fed. R. Bankr. P. 4003(d), and the Debtor(s) shall attach a certificate of service.

CREDITOR	LIEN IDENTIFICATION (if known)	PROPERTY
Lendmark Financial Svcs		household goods

9. **Surrender of Collateral.** The following collateral is surrendered to the creditor to satisfy the secured claim to the extent shown below upon confirmation of the plan. The Debtor(s) request(s) that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under 11 U.S.C. § 1301 be terminated in all respects. Any allowed deficiency balance resulting from a creditor's disposition of the collateral will be treated as an unsecured claim in paragraph 4(h) of this plan if the creditor amends its previously-filed, timely claim within 180 days from entry of the order confirming this plan or by such additional time as the creditor may be granted upon motion filed within that 180-day period.

CREDITOR	DESCRIPTION OF COLLATERAL	AMOUNT OF CLAIM SATISFIED
-NONE-		

10. **Retention of Liens.** Holders of allowed secured claims shall retain the liens securing said claims to the full extent provided by 11 U.S.C. § 1325(a)(5).
11. **Amounts of Claims and Claim Objections.** The amount, and secured or unsecured status, of claims disclosed in this plan are based upon the best estimate and belief of the Debtor(s). An allowed proof of claim will supersede those estimated claims. In accordance with the Bankruptcy Code and Federal Rules of Bankruptcy Procedure objections to claims may be filed before or after confirmation.
12. **Payment Increases.** The Debtor(s) will increase payments in the amount necessary to fund allowed claims as this plan proposes, after notice from the Trustee and a hearing if necessary, unless a plan modification is approved.
13. **Federal Rule of Bankruptcy Procedure 3002.1.** The Trustee shall not pay any fees, expenses, or charges disclosed by a creditor pursuant to Fed. R. Bankr. P. 3002.1(c) unless the Debtor's(s') plan is modified after the filing of the notice to provide for payment of such fees, expenses, or charges.

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Case number 23-10429

14. **Service of Plan.** Pursuant to Fed. R. Bankr. P. 3015(d) and General Order 2017-3, the Debtor(s) shall serve the Chapter 13 plan on the Trustee and all creditors when the plan is filed with the court, and file a certificate of service accordingly. If the Debtor(s) seek(s) to limit the amount of a secured claim based on valuation of collateral (paragraph 4(f) above), seek(s) to avoid a security interest or lien (paragraph 8 above), or seek(s) to initiate a contested matter, the Debtor(s) must serve the plan on the affected creditors pursuant to Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 3012(b), 4003(d), and 9014.
15. **Nonstandard Provisions.** Under Fed. R. Bankr. P. 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise in this local plan form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

By signing below, I certify the foregoing plan contains no nonstandard provisions other than those set out in paragraph 15.

Dated: July 14, 2023


Cerrone Dion Walker

Debtor 1

Debtor 2


Lee Ringler 606350

Attorney for the Debtor(s)

**United States Bankruptcy Court
Southern District of Georgia**

In re **Cerrone Dion Walker**

Debtor(s)

Case No. **23-10429**

Chapter **13**

CERTIFICATE OF SERVICE

I hereby certify that on **July 19, 2023**, a copy of **Amended Chapter 13 Plan and Motion** was served by regular United States mail to all interested parties, the Trustee and all creditors listed below.

attached mailing matrix

/s/ Lee Ringler

Lee Ringler 606350

Lee Ringler

SUITE 222

1450 GREENE STREET

AUGUSTA, GA 30901-5234

706-724-4000Fax:706-724-1644

lringler@leeringler.com

Label Matrix for local noticing
113J-1

Case 23-10429-SDB

Southern District of Georgia

Augusta

Wed Jul 19 10:22:13 EDT 2023

Capital One Auto Finance, a division of Capi
P.O. Box 4360
Houston, TX 77210-4360

Auben Realty LLC
909 Walker Street
Augusta GA 30901-2328

Capital One Auto Finance, a division of Capi
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Capital One Auto Finance
Post Office Box 260848
Plano TX 75026-0848

Capital One Auto Finance/o AIS Port.Svc
4515 N. Santa Fe Ave., Dept. APS
Oklahoma City OK 73118-7901

Chapter 13 Trustee
Post Office Box 2127
Augusta GA 30903-2127

Clerk, Magistrate's Court of Columbia C
640 Ronald Reagan Drive
Evans GA 30809-7603

Clerk, Magistrate's Court of Richmond C
735 James Brown Blvd.
Augusta-Richmond Co. Judicial Center
Augusta GA 30901-2975

Eastern Account System I
3 Corporate Drive
Danbury CT 06810-4166

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

IC System INC
444 Highway 96 East
Post Office Box 64437
Saint Paul MN 55164-0437

Internal Revenue Service
Centralized Insolvency Operation
Post Office Box 7346
Philadelphia PA 19101-7346

Huon Le
P.O. Box 2127
Augusta, GA 30903-2127

(p)LENDMARK FINANCIAL SERVICES
2118 USHER ST
COVINGTON GA 30014-2434

Midland Credit Management, Inc.
320 E. Big Beaver Road, Ste. 300
Troy MI 48083-1271

Office of the U. S. Trustee
33 Bull Street, Suite 400
Savannah, GA 31401-3331

Plaza Services, LLC
POB 1931
Burlingame CA 94011-1931

Lee Ringler
Lee Ringler Law Offices
1450 Greene Street
Suite 222
Augusta, GA 30901-5234

Philip L. Rubin
Lefkoff, Rubin, Gleason & Russo, PC
5555 Glenridge Connector, Ste 900
Atlanta, GA 30342-4762

Ryan Avent
401 Laurel Drive
Graniteville SC 29829-2534

(p)SRP FEDERAL CREDIT UNION
PO BOX 6730
NORTH AUGUSTA SC 29861-6730

Sheena L. Walker
1705 Johns Road Ext.
Augusta GA 30904-4831

Truist Bank
Attn: Support Services
P.O. Box 85092 Mail Code 306-40-06-10
Richmond, VA 23286-0001

(p)U S ATTORNEY'S OFFICE
P O BOX 8970
SAVANNAH GA 31412-8970

United States Trustee
33 Bull Street, Suite 400
Savannah GA 31401-3331

Cerrone Dion Walker
1705 Johns Road Ext.
Augusta, GA 30904-4831

GEORGIA DEPARTMENT OF REVENUE
CENTRAL COLLECTIONS-BANKRUPTCY
1800 CENTURY BLVD, NE SUITE 9100
ATLANTA, GA 30345

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(d) Georgia Department of Revenue
Compliance Div., Bankr. Section
1800 Century Blvd. NE, Ste. 9100
Atlanta GA 30345-3205

Landmark Financial Svcs
2118 Usher Street
Covington GA 30014-4243

SRP Federal Credit Union
Post Office Box 6730
North Augusta SC 29861

U.S. Attorney
POB 2017
Augusta GA 30903

(d) United States Attorney
P.O. Box 2017
Augusta GA 30903

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Capital One Auto Finance, a division of Ca	End of Label Matrix	
4515 N Santa Fe Ave. Dept. APS	Mailable recipients	26
Oklahoma City, OK 73118-7901	Bypassed recipients	1
	Total	27